

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

STARRED QUESTION NO.452

TO BE ANSWERED ON WEDNESDAY, THE 24TH JULY, 2019

Fast Track Courts

*452. DR. MOHAMMAD JAWED:

KUMARI SHOBHA KARANDLAJE:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government has asked the States/UTs to set up Fast Track Courts (FTCs) to speed up disposal of pending cases and if so, the details thereof;
- (b) whether Government proposes to set up more FTCs in the country, especially in Bihar and if so, the details thereof;
- (c) whether FTCs are not being set up in some States, if so, the details thereof and the reasons therefor;
- (d) the funds allocated to the States to strengthen the judicial system during the last five years, State/UT-wise; and
- (e) whether the Government has also directed the States to establish FTCs to expedite cases relating to offences against women, children, differently abled persons, senior citizens and marginalised sections of the society, in pursuance of the Resolution of the Conference of CMs and Chief Justices held in 2013 and if so, the details thereof along with the response of the States thereto?

ANSWER

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND
ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO.452 FOR 24TH JULY, 2019 REGARDING FAST TRACK COURTS

(a) to (c) & (e): The decision of setting up of Fast Track Courts (FTCs) and allocation of funds lies within the domain of the State Governments who set up such courts as per their need and resources, in consultation with the concerned High Courts. In its judgment in Brij Mohan Lal & Others v/s Union of India & Others on **19.04.2012**, the Hon'ble Supreme Court of India had, inter alia, directed the States that they shall not take a decision to continue FTCs on an ad-hoc and temporary basis. They (States) will need to decide either to bring the FTCs scheme to an end or to continue the same as a permanent feature in the State. A statement indicating State-wise number of FTCs reported functional is enclosed as **Annexure-I**.

In the Conference of Chief Ministers of States and Chief Justices of High Courts held in 2013, it was resolved that the State Governments in consultation with the Chief Justices of respective States, take immediate steps to establish a suitable number of FTCs relating to offences against women, children, differently-abled persons, senior citizens and marginalized sections of society and to sanction posts of Judicial Officers with corresponding infrastructure and support staff for these Courts. The State Governments shall provide adequate funds for the purpose of creating and continuing these FTCs.

Accordingly in order to strengthen the judicial system in States, the Union of India proposed setting up of **1800** FTCs for cases of heinous crimes; cases involving senior citizens, women, children, disabled and litigants affected with HIV AIDS and other terminal ailments; and civil disputes involving land acquisition and property/rent disputes pending for more than five years at a cost of **Rs.4144 crore** as a component of its Memorandum to the 14th Finance Commission (14th FC) which endorsed the proposal and urged the State Governments to use the additional fiscal space provided by the Commission in the

tax devolution from 32% to 42% to meet such requirements, the details of which is enclosed as **Annexure-II**.

(d): An amount of Rs.870 crore was released to the State Governments for FTCs during a period of 11 years from 2000-01 to 2010-2011 and Central funding was discontinued beyond **31.03.2011**. The Central grants released to the States for FTCs from 2000-2001 to 2010-2011 is given as **Annexure-III**. The Central Government decided to provide funds upto a maximum of Rs.80 crore per annum on a matching basis upto **31.03.2015** from the 13th Finance Commission Award for meeting expenditure on salaries of the 10% additional positions of Judges being created in the subordinate Judiciary following the direction of Supreme Court in the case of Brij Mohan Lal Vs. Union of India. The State Governments and Chief Justices of the High Courts were requested to utilize these positions for creation of FTCs also. Further the 14th FC while endorsing the proposal of the Union of India to strengthen the judicial system in States which includes, inter-alia, establishing **1800** FTCs urged the State Governments to use the additional fiscal space provided by the Commission in the tax devolution from 32% to 42% to meet such requirements. The Union Government also urged the State Governments to allocate funds for the activities mentioned in the 14th FC recommendations from their State budgets from the Financial Year 2015-16 onwards and to strengthen the existing coordination and monitoring mechanism between the State Governments and the Judiciary for effective implementation of the recommendations of the 14th FC. The details of funds allocation by the States as per recommendations of 14th FC to strengthen the judicial system during the last five years is not maintained at Central Government level.

ANNEXURE-I

STATEMENT REFERRED TO IN REPLY TO PARTS (a)-(c) OF THE LOK SABHA STARRED QUESTION NO. 452 TO BE ANSWERED ON 24.07.2019

Sl. No.	Name of the State/UT	No. of FTCs functional (as on 31.03.2019)
1.	Andhra Pradesh	21
2.	Assam	03
3.	Arunachal Pradesh	0
4.	Mizoram	02
5.	Nagaland	0
6.	Bihar	45
7.	Chhattisgarh	23
8.	Delhi	14
9.	Goa	0
10.	Maharashtra	77
11.	Gujarat	0
12.	Haryana	05
13.	Punjab	0
14.	Chandigarh	0
15.	Himachal Pradesh	0
16.	Jammu & Kashmir	0
17.	Jharkhand	0
18.	Karnataka	0
19.	Kerala & Lakshadweep	0
20.	Madhya Pradesh	0
21.	Manipur	04
22.	Meghalaya	0
23.	Odisha	0
24.	Rajasthan	0

25.	Sikkim	02
26.	Tamil Nadu	50
27.	Puducherry	0
28.	Tripura	03
29.	Uttar Pradesh	206
30.	Uttarakhand	0
31.	West Bengal & Andaman and Nicobar	88
32.	Telangana	38
33.	Daman & Diu	0
34.	Dadra & Nagar Haveli	0
Total		581

ANNEXURE-III**STATEMENT REFERRED TO IN REPLY TO PARTS (c) AND (d) OF THE LOK SABHA
STARRED QUESTION NO.452 FOR 24.07.2019****Central Grants released to States for Fast Track Courts from 2000-01 to 2010-11 (Rs. In lakh)**

Sl. No	Name of the state	Released from 2000-01 to 2004-05 *	Central Grant released by Department of Justice						Grand Total
			2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	
1	2	3	4	5	6	7	8	9	10
1	Andhra Pradesh	2250.00	550.50	412.80	412.80	142.40	-	1096.00	4864.50
2	Arunachal Pradesh	52.69	19.20	14.40	14.40	14.40	14.40	14.40	143.89
3	Assam	530.10	128.00	96.00	96.00	91.20	96.00	96.00	1133.30
4	Bihar	4766.40	960.30	720.00	720.00	720.00	720.00	720.00	9326.70
5	Chhattisgarh	791.10	198.40	129.60	129.60	148.80	148.80	129.60	1675.90
6	Goa	125.10	32.00	24.00	24.00	19.20	14.40	24.00	262.70
7	Gujarat	3226.68	1062.80	1355.90	571.20	580.80	-	777.60	7574.98
8	Haryana	422.31	102.40	33.60	67.20	38.40	76.80	67.20	807.90
9	Himachal Pradesh	108.59	57.60	43.57	0	38.40	43.20	43.20	334.56
10	J & K	300.60	-	-	-	-	-	-	300.60
11	Jharkhand	2319.30	569.80	226.00	190.17	249.60	196.80	192.00	3943.67
12	Karnataka	2431.80	595.40	610.80	230.40	182.40	446.40	441.60	4938.80
13	Kerala	815.25	198.40	148.80	148.80	148.80	148.80	148.80	1757.65
14	Madhya Pradesh	2223.90	422.50	215.40	259.80	312.00	316.80	316.80	4067.20
15	Maharashtra	4352.40	1197.20	1101.60	782.40	417.60	412.80	537.60	8801.60
16	Manipur	90.00	12.80	9.60	9.60	9.60	9.60	9.60	150.80
17	Meghalaya	90.00	19.20	14.40	0	28.80	-	28.80	181.20
18	Mizoram	90.00	19.20	17.68	14.40	14.40	14.40	14.40	184.48
19	Nagaland	54.90	12.80	18.18	9.60	9.60	9.60	9.60	124.28
20	Orissa	1866.60	262.40	196.80	158.40	158.40	168.00	168.00	2978.60
21	Punjab	746.10	115.20	48.00	51.20	0	163.20	81.60	1205.30
22	Rajasthan	2238.05	531.40	753.64	398.40	398.40	398.40	398.40	5116.69
23	Sikkim	29.70	-	-	-	-	-	-	29.70
24	Tamil Nadu	1151.90	313.70	235.20	235.20	0	470.40	235.20	2641.60
25	Tripura	73.80	19.20	3.80	0	0	11.56	0	108.36
26	Uttar Pradesh	6319.80	288.00	3075.69	495.52	1161.60	1161.60	1094.40	13596.61
27	Uttarakhand	1173.60	1549.80	216.00	129.60	0	-	99.62	3168.62
28	West Bengal	3972.60	761.80	571.20	571.20	571.20	571.20	571.20	7590.40
	Total	42613.27	10000.00	10292.66	5719.89	5456.00	5613.16	7315.62	87010.60

*Grants released to the States from 2000-01 to 2004-2005 by Ministry of Finance

ANNEXURE-II**STATEMENT REFERRED TO IN REPLY TO PART (d) OF THE LOK SABHA STARRED QUESTION NO.452 TO BE ANSWERED ON 24.07. 2019**

Funds proposed for establishment of 1800 Fast Track Courts for a period of five years (2015-2020) under Grants-in-Aid as endorsed by the 14th Finance Commission.

(Rs. in crore)

S.No	Name of the State	No. of FTCs proposed	Funds proposed
1.	Andhra Pradesh	47	108.21
2.	Telangana	37	85.18
3.	Assam	36	82.88
4.	Arunachal Pradesh	0	0.00
5.	Mizoram	07	16.12
6.	Nagaland	03	6.91
7.	Bihar	147	338.43
8.	Chhattisgarh	28	64.46
9.	Gujarat	174	400.59
10.	Himachal Pradesh	13	29.93
11.	Jammu & Kashmir	21	48.35
12.	Jharkhand	50	115.11
13.	Karnataka	95	218.72
14.	Kerala, Lakshadweep	41	94.39
15.	Madhya Pradesh	133	306.20
16.	Maharashtra, D&N, Daman & Diu	204	469.67
17.	Goa	05	11.51
18.	Manipur	03	6.91
19.	Meghalaya	04	9.21
20.	Orissa	63	145.04
21.	Punjab	50	115.11
22.	Chandigarh	02	4.61

	Haryana	48	110.51
23.	Rajasthan	93	214.11
24.	Sikkim	01	2.3
25.	Tamil Nadu, Puducherry	89	204.91
26.	Tripura	09	20.72
27.	Uttar Pradesh	212	488.08
28.	Uttarakhand	28	64.46
29.	West Bengal, A&N Islands	94	216.42
30.	Delhi	63	145.05
Total		1800	4144.11